IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1629 OF 2003
IN
INCOME TAX APPEAL LODGING NO.550 OF 2003

The Commissioner of Income-tax
City-I, Mumbai .. Appellant.
V/s.
M/s.JKupiter Ind.& Leasing Ltd. .. Respondent.

Mr.A.S. Rao for the Appellant.
None for the respondent.

CORAM : DR.S. RADHAKRISHNAN &
J.P. DEVADHAR, JJ.

DATED : 26TH FEBRUARY, 2007.

P.C. :

1. Heard learned counsel for the appellant and the learned counsel for the respondent.

2. By this notice of motion, the appellant is seeking condonation of 161 days delay in filing the appeal.

3. For the reasons stated in the affidavit in support of notice of motion, sufficient cause is made out for condonation of delay. There is no case of any inaction, negligence or want of bonafide on the part of the appellant.

4. The notice of motion is made absolute in terms of prayer clause (a).

5. Place the appeal on board for admission on next Monday i.e. 5th March, 2007.

(DR.S. RADHAKRISHNAN, J.)

(J.P. DEVADHAR, J.)